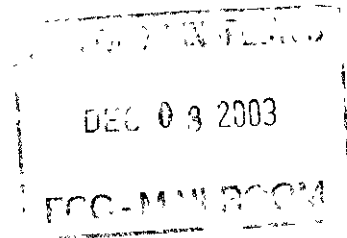


DOCKET FILE COPY ORIGINAL



December 3, 2003

Ms. Marlene Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: Petition for Rule Making  
Knippa, Texas

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of my Petition  
for Rule Making to allot Channel 234A at Knippa, Texas.

Respectfully submitted,

A handwritten signature in cursive script, reading "Katherine Pyeatt". The signature is written in dark ink and is positioned above the printed name.

Katherine Pyeatt  
6655 Aintree Circle  
Dallas, Texas 75214  
(214) 363-6030 Tele

Knippa Cover

No. of Copies rec'd 0 + 4  
List ABCDE  
7m-mB  
03-501

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of 73.202 (b) ) MB Docket No. \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations )  
(Knippa, Texas) )

To: John Karousos, Chief  
Allocations Branch  
Mass Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Katherine Pyeatt respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 234A at Knippa, Texas.

## DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 234A to Knippa, Texas as that community's first local transmission service.<sup>1</sup> Knippa, Texas is a census designated place with a population of 739 people.<sup>2</sup> Knippa has its own post office, its own volunteer fire department, its own pre-K through 12<sup>th</sup> grades school and a number of local churches. Knippa is a community that is certainly deserving of a local FM

<sup>1</sup> Channel 26A has been proposed to Knippa, Texas but as of yet has not been allotted.

<sup>2</sup> According to the 2002/ 2003 Texas Almanac.

service. The proposed channel 234A will provide additional diversity and an outlet for local self-expression to Knippa residents and therefore is in the public interest.

In order for Channel 234A to be allotted at Knippa, Texas, four vacant allotments will need to be replaced with equal channels while still providing for complete city grade coverage over their city of license. These vacant allotments are: Channel 234A at Brackettville, Texas, Channel 295C2 at Rocksprings, Texas, Channel 271A at Camp Wood, Texas and Channel 272A at Sonora, Texas.

Additionally, station KAMX, Channel 234C at Luling, Texas will need to be reclassified from a C to a C0. (See, Attachment A, Request to Reclassify Statement for KAMX)

The proposed changes are as follows:

	<u>Current</u>	<u>Proposed</u>
Knippa, TX		234A
Brackettville, TX	234A	295A
Rocksprings, TX	295C2	271C2
Camp Wood, TX	271A	233A
Sonora, TX	272A	250A
Luling, TX (KAMX)	234C	234C0

Attached hereto is a channel study confirming that Channel 234A can be allocated to Knippa, Texas consistent with the FCC's FM separation rules provided the necessary changes are made at Brackettville and station KAMX Channel 234C at Luling, Texas is reclassified to a C0. See revision

of FM Assignment Policies and Procedures, 90 FCC 2d 88  
(See, Attachment B) Note: Channel 234A/ ADD Batesville was  
dismissed by FCC letter dated 11/19/03. (See, Attachment C)  
Reference coordinates for Channel 234A at Knippa, Texas  
are:

29 12 00 N  
99 36 30 W

In order for Channel 234A to be allotted at Knippa,  
Texas, the vacant allotment for Channel 234A at  
Brackettville, Texas must be replaced by Channel 295A.  
Attached hereto is a channel study confirming that Channel  
295A can be allocated to Brackettville, Texas consistent  
with the FCC's FM separation rules provided the necessary  
changes are made for the vacant allotment at Rocksprings,  
Texas. (See, Attachment D) Note: Channel 295A/ ADD  
Brackettville was dismissed by FCC letter dated 11/19/03.  
(See, Attachment C)  
Reference coordinates for Channel 295A at Brackettville,  
Texas are:

29 20 00 N  
100 26 00 W

In order for channel 295A to be allotted to  
Brackettville, Texas, the vacant allotment for Channel  
295C2 at Rocksprings, Texas must be replaced by Channel  
271C2. Attached hereto is a channel study confirming that

Channel 271C2 can be allocated to Rocksprings, Texas consistent with the FCC's FM separation rules provided the necessary changes are made for the vacant allotments at Camp Wood, Texas and Sonora, Texas. (See, Attachment E)

Note: Channel 271C2/ ADD Rocksprings was dismissed by FCC letter dated 11/19/03. (See, Attachment C)

Reference coordinates for Channel 271C2 at Rocksprings, Texas are:

30 04 09 N  
100 14 22 W

In order for Channel 271C2 to be allotted to Rocksprings, Texas, the vacant allotment for Channel 271A at Camp Wood, Texas must be replaced by Channel 233A. This Channel is available as a result of Channel 234A moving from Brackettville, Texas to Knippa, Texas. Attached hereto is a channel study confirming that Channel 233A can be allocated to Camp wood, Texas consistent with the FCC's FM separation rules. (See, Attachment F) Note: Channel 233A/ ADD Camp Wood was dismissed by FCC letter dated 11/19/03. (See, Attachment C)

Reference coordinates for Channel 233A at Camp Wood, Texas are:

29 41 30 N  
100 08 00 W

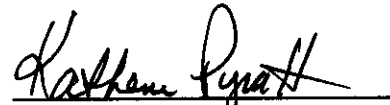
Additionally, in order for Channel 271C2 to be allotted to Rocksprings, Texas, the vacant allotment for Channel 272A at Sonora, Texas must be replaced by Channel 250A. Attached hereto is a channel study confirming that Channel 250A can be allocated to Sonora, Texas consistent with the FCC's FM separation rules. (See, Attachment G) Reference coordinates for Channel 250A at Sonora, Texas are:

30 35 00 N  
100 35 45 W

Should this petition be granted and Channel 234A be allotted to Knippa, Texas, Petitioner will apply for Channel 234A, and after it is authorized, will promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



Katherine Pyeatt  
6655 Aintree Circle  
Dallas, Texas 75214  
(214) 363-6030                      Tele

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Katherine Pyeatt. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Ms. Pyeatt.

December 3, 2003

KnippaReloaded

**Attachment A**

(Request to Reclassify Statement for KAMX)



Katherine Pyeatt  
6655 Aintree Circle  
Dallas, Texas 75214  
(214) 363-6030 Tele

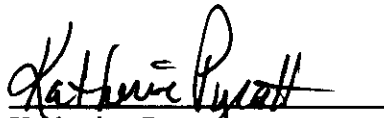
Petition for Rule Making  
FM Channel 234A  
Knippa, Texas  
December 3, 2003

**Attachment A**

Request to Reclassify  
Station KAMX(FM), Luling, Texas  
Pursuant to MM Docket 98-93

Radio Station KAMX(FM), Luling, Texas is licensed to Texas Infinity Radio L.P., 2000 K Street, N.W., Suite 725, Washington, DC 20006-1809, (Facility ID 48651), FCC File No. BLH 19980225KD. The facility operates with a power of 99 kilowatts with center of radiation 398 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Katherine Pyeatt respectfully requests that the license of Radio Station KAMX(FM) be modified to specify operation on FM Channel 234C0 instead of on FM Channel 234C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

Katherine Pyeatt, the proponent of Channel 234A at Knippa, Texas, in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KAMX(FM) as a Class C0 facility. Katherine Pyeatt certifies that no alternative channel is available for the service he proposes at Knippa, Texas as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Texas Infinity Radio L.P., as is required in the above Docket.

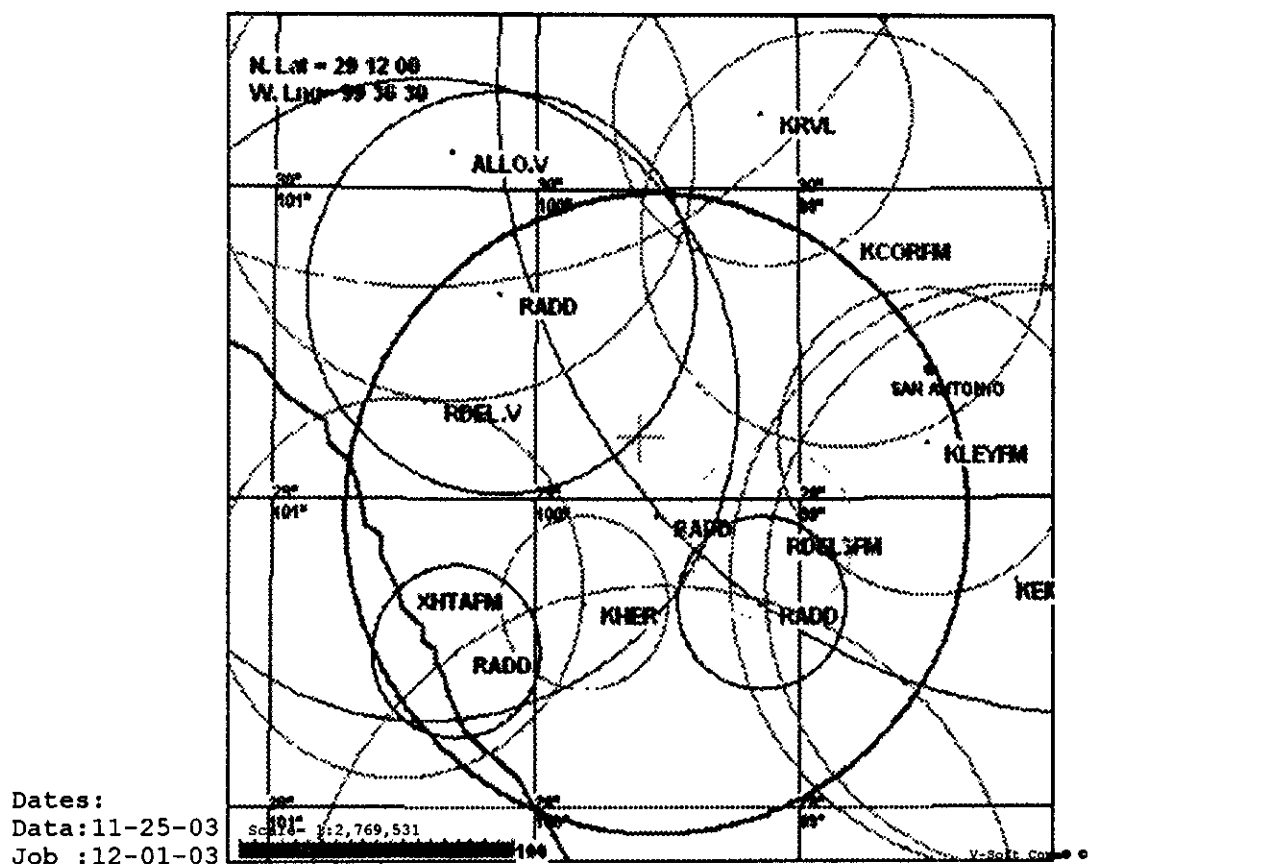
  
Katherine Pyeatt

K2KAMX

**Attachment B**

(Channel Study for Channel 234A at Knippa, Texas)

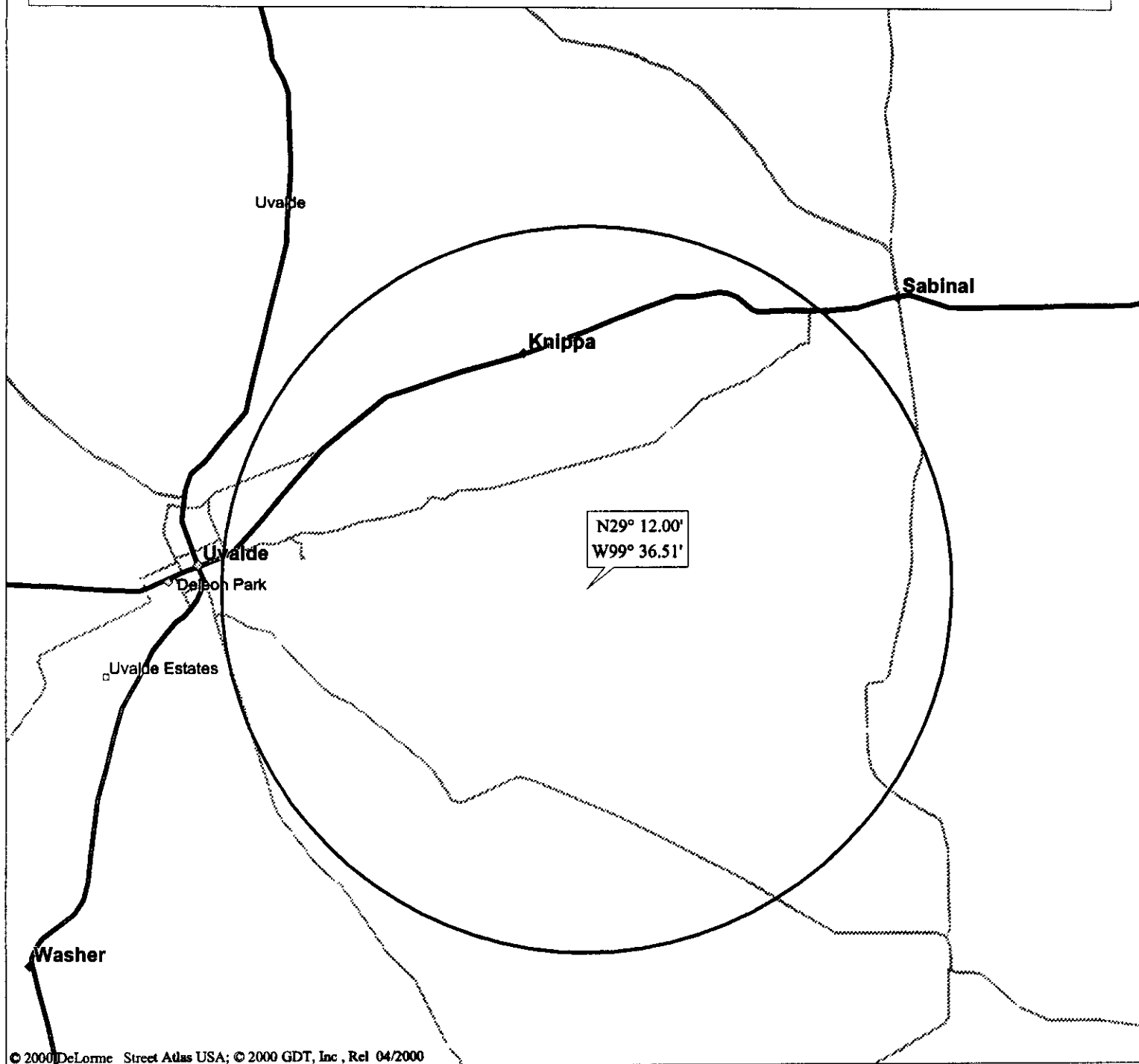
FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 234 A 94.7 MHz



Dates:  
Data:11-25-03  
Job :12-01-03

Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	234A	ADD	Batesville	TX	28.68	166.9	115.0	-86.32
ALLO.V	234A	VAC	Brackettville	TX	79.71	279.6	115.0	-35.29
RDEL	234A	DEL	Brackettville	TX	79.71	279.6	115.0	-35.29
KAMX	234C*	LIC N	Luling	TX	214.72	54.0	226.0	-11.28
RADD	233A	ADD	Camp Wood	TX	72.56	315.3	72.0	0.56
KVWGFM	237A	LIC N	Pearsall	TX	59.58	125.6	31.0	28.58
RDEL	237A	DEL	Pearsall	TX	59.58	125.6	31.0	28.58
KCORFM	236C1	LIC N	Comfort	TX	103.92	46.6	75.0	28.92
KHER	232A	LIC	Crystal City	TX	62.57	198.9	31.0	31.57
ALLO.V	235C3	VAC	Rocksprings	TX	123.01	326.2	89.0	34.01
ALLO.	233AA		Piedras Negras	CI	104.00	238.6	68.0	36.00
XHTAFM	233AA	OPE	Piedras Negras	CI	104.00	238.6	68.0	36.00
KEMA.A	233C2	APP N	Three Rivers	TX	148.58	109.9	106.0	42.58
KEMA.A	233C2	APP	Three Rivers	TX	148.58	109.9	106.0	42.58
RADD	237A	ADD	Dilley	TX	74.63	142.6	31.0	43.63
KLEYFM	231C2	LIC	Floresville	TX	106.49	90.7	55.0	51.49
KQUR	235C1	LIC	Laredo	TX	186.31	177.4	133.0	53.31
KEMA	233C2	LIC N	Three Rivers	TX	161.63	109.0	106.0	55.63
KIXYFM	234C1	LIC	San Angelo	TX	266.13	342.6	200.0	66.13
KRVL	232C2	LIC	Kerrville	TX	125.35	21.3	55.0	70.35
RADD	236A	ADD	El Indio	TX	102.37	221.3	31.0	71.37

# Knippa, TX CH 234A 70 dBu



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





Mag 11 00

Mon Dec 01 11 07 2003

Scale 1 250,000 (at center)

5 Miles

5 KM

-  US Highway
-  Major Connector
-  State Route
-  Point of Interest
-  Small Town
-  Locale
-  City
-  Water

**Attachment C**

(FCC Letter dated 11/19/03 dismissing 250A/ Knippa, Texas)



Federal Communications Commission  
Washington, D.C. 20554

November 19, 2003

Mr. Charles Crawford  
4553 Bordeaux Avenue  
Dallas, Texas 75205

Dear Mr. Crawford:

This is in response to the petition for rule making you filed on May 23, 2003, requesting the allotment of Channel 250A at Knippa, Texas, as the community's first local aural transmission service. To accommodate the allotment, you also requested (1) substitution of Channel 234A for vacant Channel 250A at Batesville, Texas; (2) substitution of Channel 295A for vacant Channel 234A at Brackettville, Texas; (3) substitution of Channel 271C2 for vacant Channel 295C2 at Rocksprings, Texas; (4) substitution of Channel 233A for vacant Channel 271A at Camp Wood, Texas; and (5) substitution of Channel 300A for vacant Channel 272A at Sonora, Texas.

We have reviewed the proposal and find that it is unacceptable for consideration at this time. An engineering analysis has determined that the proposal is in violation of Sections 73.207(b)(a) and (b)(3) of the Commission's Rules. Specifically, at the coordinates you specified (29-10-48 NL and 99-37-30 WL), the proposal is short-spaced to the reserved allotment site for Channel 251C3, Camp Wood, Texas, and the allotment site for Channel 250A, Piedras Negras, Mexico. Additionally, the proposed coordinates (29-39-48 NL and 100-08-12 WL) for the substitution of Channel 233A for vacant Channel 271A at Camp Wood, Texas, is short-spaced to Station XHTA-FM, Channel 233AA, Piedras Negras, Mexico.

Based on the reasons stated above, we are returning your petition for rule making. If you wish, you may refile your petition provided it meets all of the technical requirements of the Commission's Rules.

Sincerely,

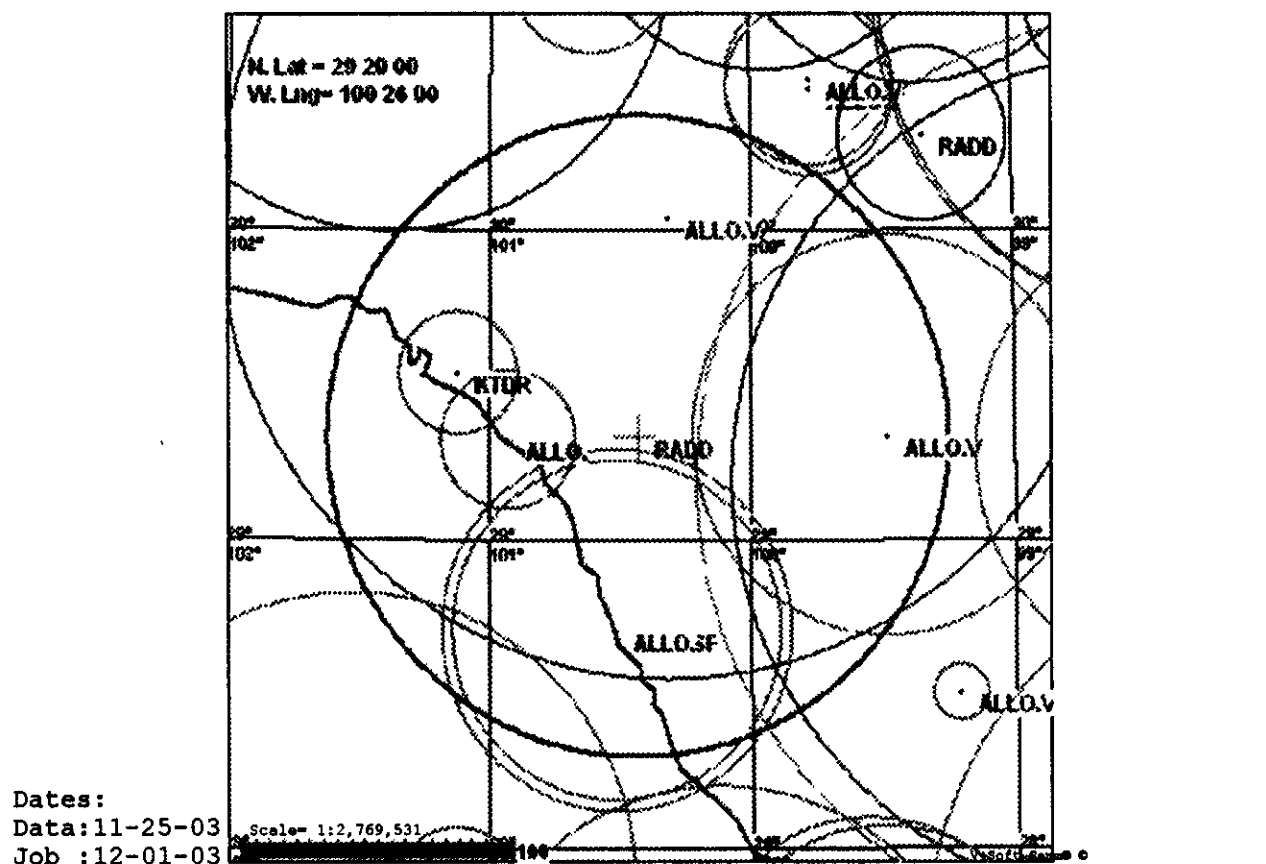
A handwritten signature in dark ink, appearing to read "John A. Karousos", is written over the typed name and title.

John A. Karousos  
Assistant Chief, Audio Division  
Media Bureau

Enclosures

**Attachment D**

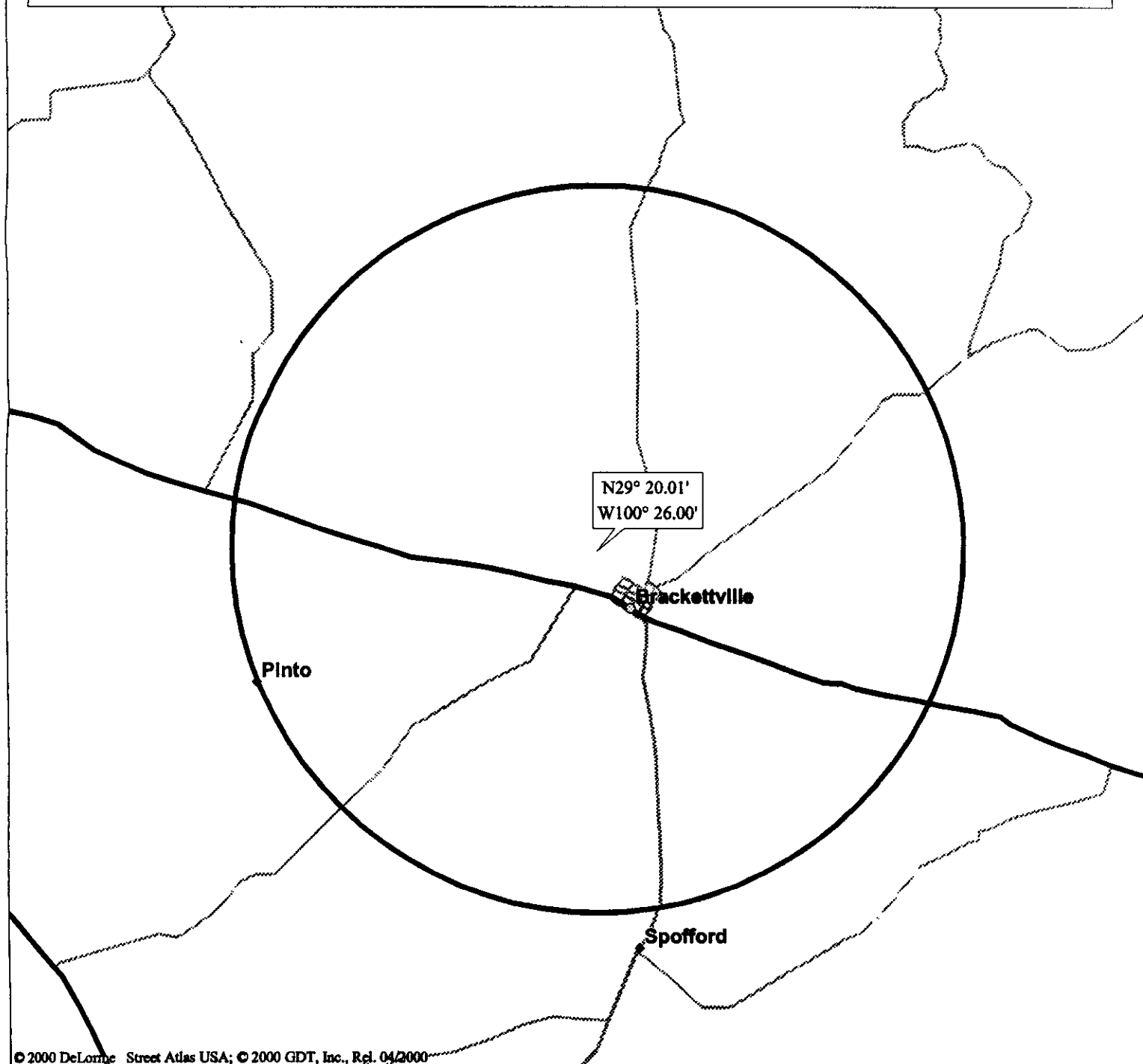
(Channel Study for Channel 295A at Brackettville, Texas)



Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	295A	ADD	Brackettville	TX	0.00	0.0	115.0	-115.00
RDEL	295C2	DEL	Rocksprings	TX	79.75	8.1	166.0	-86.25
ALLO.V	295C2	VAC	Rocksprings	TX	79.75	8.1	166.0	-86.25
XHPSPF	292B	OPE	Piedras Negras	CI	69.96	186.7	65.0	4.96
ALLO.	292B		Piedras Negras	CI	69.96	186.7	65.0	4.96
XHPNSF	296A	OPE	Piedras Negras	CI	69.93	186.7	61.0	8.93
ALLO.	296A		Piedras Negras	CI	69.93	186.7	61.0	8.93
ALLO.V	296A	VAC	Sabinal	TX	92.27	89.4	72.0	20.27
RDEL	294C	DEL	Terrell Hills	TX	187.32	94.6	165.0	22.32
KELZFM	294C*	LIC	Terrell Hills	TX	187.32	94.6	165.0	22.32
ALLO.	297A		Ciudad Acuna	CI	48.32	269.1	25.0	23.32
ALLO.	293A		Ciudad Acuna	CI	48.32	269.1	25.0	23.32
RADD	294C0	ADD	Terrell Hills	TX	187.32	94.6	152.0	35.32
RADD	294C0	ADD	Terrell Hills	TX	187.32	94.6	152.0	35.32
KTDR	242C1	LIC	Del Rio	TX	70.69	289.2	22.0	48.69
ALLO.	294B		Muzquiz	CI	192.70	213.5	105.0	87.70
RADD	296C2	ADD	Big Lake	TX	202.31	333.1	106.0	96.31
ALLO.V	297A	VAC	Junction	TX	140.18	27.0	31.0	109.18
ALLO.V	292A	VAC	Junction	TX	143.17	26.2	31.0	112.17
RADD	297A	ADD	Harper	TX	151.29	43.9	31.0	120.29
KXTNFM	298C0	LIC	San Antonio	TX	210.82	91.2	86.0	124.82
ALLO.	295A		Anahuac	NL	227.45	172.3	100.0	127.45
RADD	294A	ADD	Eden	TX	208.48	12.7	72.0	136.48
ALLO.V	293A	VAC	Eldorado	TX	169.43	354.2	31.0	138.43
ALLO.V	242A	VAC	Cotulla	TX	150.24	127.5	10.0	140.24
KHLBFA	295A	APP-Z	Burnet	TX	256.88	51.9	115.0	141.88
KHLBFM	295A	LIC-Z	Burnet	TX	258.47	52.3	115.0	143.47
RADD	296A	ADD	Brady	TX	223.82	27.1	72.0	151.82



# Brackettville, TX CH 295A 70 dBu



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




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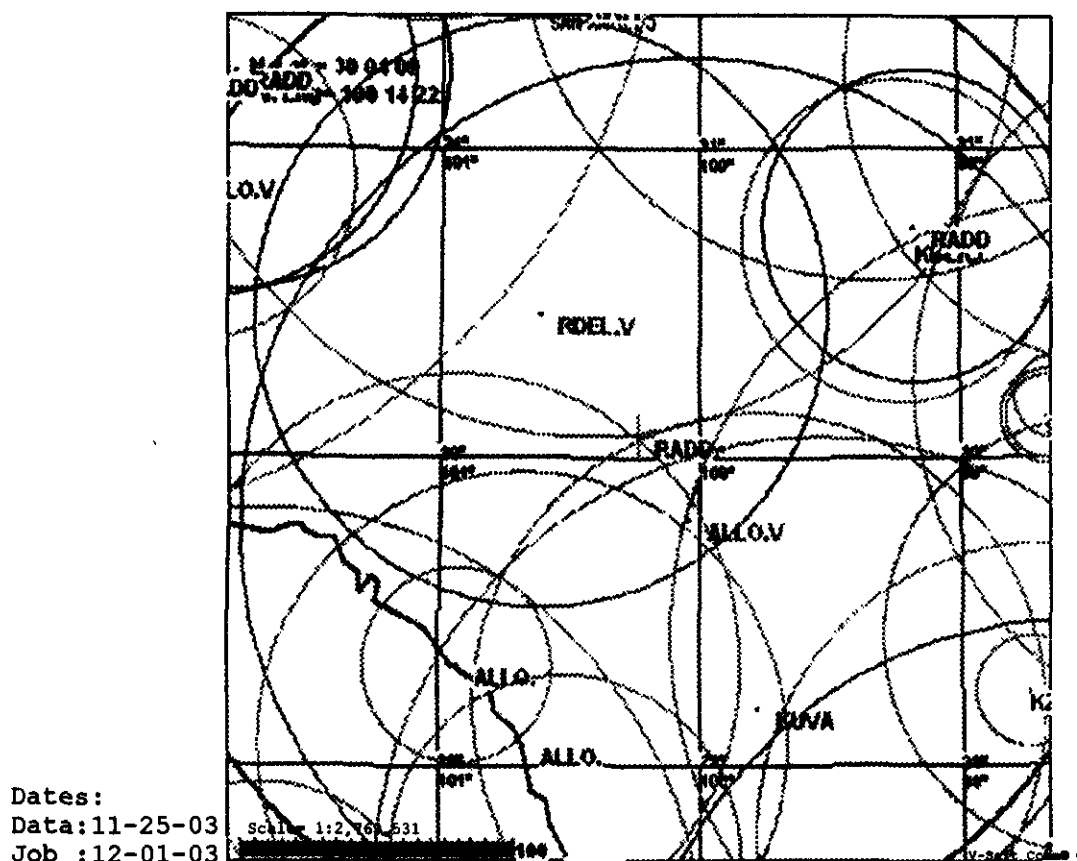
5 Miles

5 KM

-  US Highway
-  Major Connector
-  State Route
-  County Seat
-  Small Town
-  Water

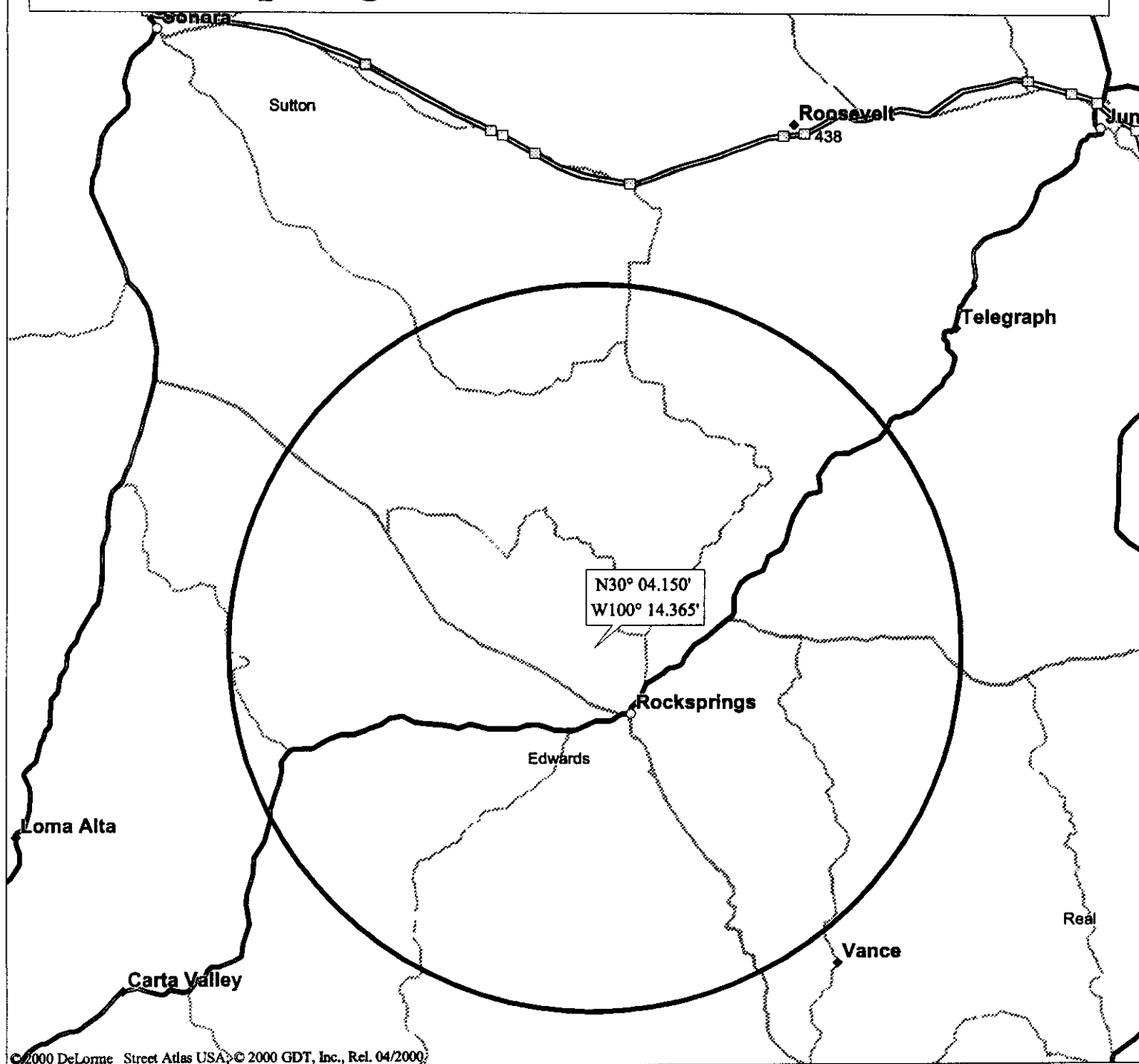
**Attachment E**

(Channel Study for Channel 271C2 at Rocksprings, Texas)

FM PROSP<sup>TM</sup> LOCATE STUDY CH 271 C2 102.1 MHz


Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	271C2	ADD	Rocksprings	TX	0.00	0.0	190.0	-190.00
RDEL	271A	DEL	Camp Wood	TX	35.33	147.6	166.0	-130.67
ALLO.V	271A	VAC	Camp Wood	TX	35.33	147.6	166.0	-130.67
ALLO.V	272A	VAC	Sonora	TX	57.14	321.0	106.0	-48.86
RDEL	272A	DEL	Sonora	TX	57.14	321.0	106.0	-48.86
KWFR	270C1	LIC	San Angelo	TX	158.77	353.3	158.0	0.77
ALLO.	272A		Ciudad Acuna	CI	106.16	219.1	105.0	1.16
KUVA	272A	LIC	Uvalde	TX	107.48	155.4	106.0	1.48
ALLO.V	271A	VAC	Big Wells	TX	179.43	157.9	166.0	13.43
ALLO.	268C		Jiminez	CI	118.59	201.1	98.0	20.59
KQXTFM	270C1	LIC	San Antonio	TX	184.54	112.7	158.0	26.54
KBLK.C	273C2	CP	N Mason	TX	119.41	53.7	58.0	61.41
ALLO.	270B		La Rosita	CI	235.00	216.3	164.0	71.00
ALLO.	218C		Ciudad Acuna	CI	106.16	219.1	35.0	71.16
KFZX	271C*	LIC	Gardendale	TX	320.24	311.8	249.0	71.24
RADD	269C3	ADD	Mason	TX	127.46	53.3	56.0	71.46
KXCT	272C2	LIC	N Coleman	TX	205.36	24.6	130.0	75.36
ALLO.	273A		Piedras Negras	CI	153.43	190.2	65.0	88.43
ALLO.V	272A	VAC	Charlotte	TX	207.75	133.8	106.0	101.75
KPEZ	272C2	LIC	Austin	TX	233.01	85.2	130.0	103.01
KTFM	274C1	LIC	San Antonio	TX	184.38	112.7	79.0	105.38
KTFM.C	274C1	CP	San Antonio	TX	184.54	112.7	79.0	105.54
KTFM.A	274C1	APP	San Antonio	TX	184.54	112.7	79.0	105.54
RADD	271A	ADD	Freer	TX	282.46	144.9	166.0	116.46
KACQ	270A	LIC	Lometa	TX	225.16	54.1	106.0	119.16
RADD	273C1	ADD	Rankin	TX	199.01	311.7	79.0	120.01
RADD	273C1	ADD	Rankin	TX	206.98	308.7	79.0	127.98
ALLO.V	269C2	VAC	Iraan	TX	187.46	299.8	58.0	129.46

# Rocksprings, TX CH 271C2 70 dBu



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Mag 10 00

Tue Dec 02 10:44 2003

Scale 1:500,000 (at center)

10 Miles

10 KM

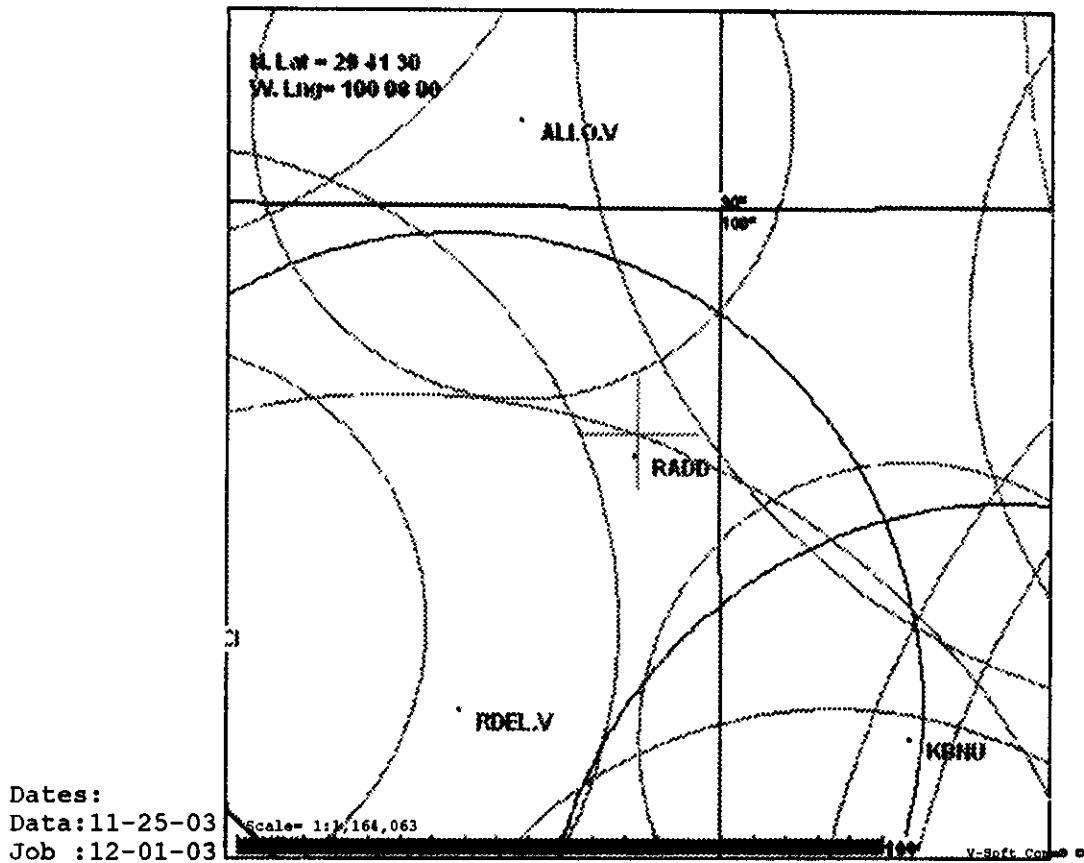
- Local Road
- US Highway
- Interstate/Limited Access
- Major Connector
- State Route
- Exit
- County Seat
- ◆ Small Town

Water

**Attachment F**

(Channel Study for Channel 233A at Camp Wood, Texas)

FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 233 A 94.5 MHz



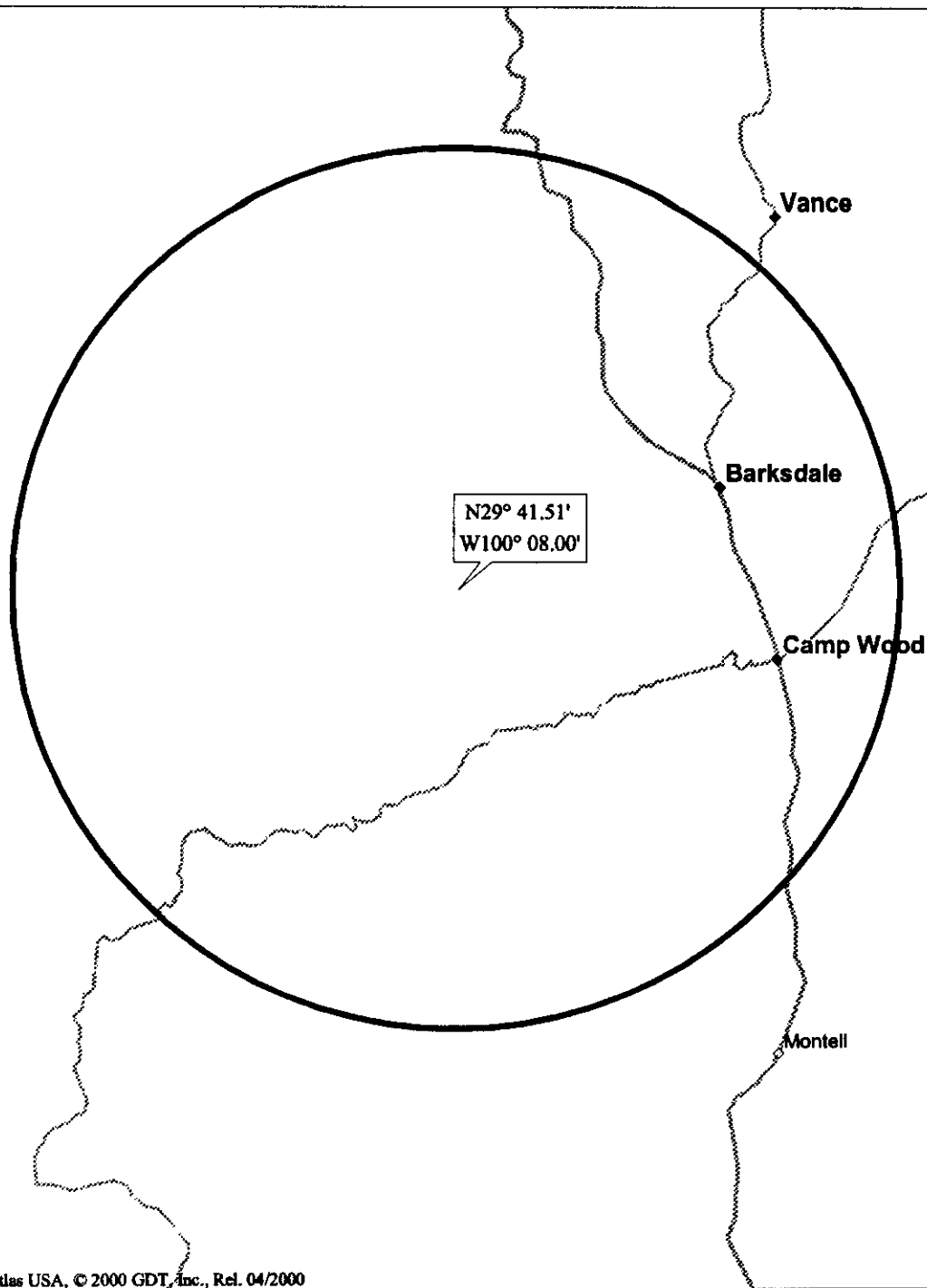
Dates:

Data: 11-25-03

Job : 12-01-03

Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
RADD	233A	ADD	Camp Wood	TX	3.16	185.8	115.0	-111.84
ALLO.V	234A	VAC	Brackettville	TX	49.87	213.5	72.0	-22.13
RDEL	234A	DEL	Brackettville	TX	49.87	213.5	72.0	-22.13
ALLO.	233AA		Piedras Negras	CI	115.13	199.0	115.0	0.13
XHTAFM	233AA	OPE	Piedras Negras	CI	115.13	199.0	115.0	0.13
KDLKFM	232A	LIC	Del Rio	TX	80.23	248.9	72.0	8.23
ALLO.V	235C3	VAC	Rocksprings	TX	50.67	339.1	42.0	8.67
KRVL	232C2	LIC	Kerrville	TX	114.76	56.8	106.0	8.76
KBNU	230C3	LIC	Uvalde	TX	62.64	137.4	42.0	20.64
RADD	234A	ADD	Batesville	TX	100.51	145.1	72.0	28.51
KDLKFC	231C3	CP	Del Rio	TX	80.22	248.8	42.0	38.22
KHER	232A	LIC	Crystal City	TX	117.81	164.8	72.0	45.81
KEMA.A	233C2	APP	Three Rivers	TX	217.58	118.7	166.0	51.58
KEMA.A	233C2	APP N	Three Rivers	TX	217.58	118.7	166.0	51.58
KCORFM	236C1	LIC N	Comfort	TX	127.55	82.2	75.0	52.55
KYXX.C	232C3	CP	Ozona	TX	148.00	320.2	89.0	59.00
KEMA	233C2	LIC N	Three Rivers	TX	230.09	117.5	166.0	64.09
KIXYFM	234C1	LIC	San Angelo	TX	201.34	351.5	133.0	68.34
KAMX	234C*	LIC N	Luling	TX	235.80	72.1	165.0	70.80

# Camp Wood, TX CH 233A 70 dBu



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Mag 11 00

Mon Dec 01 18 35 2003

Scale 1:250,000 (at center)

5 Miles

5 KM

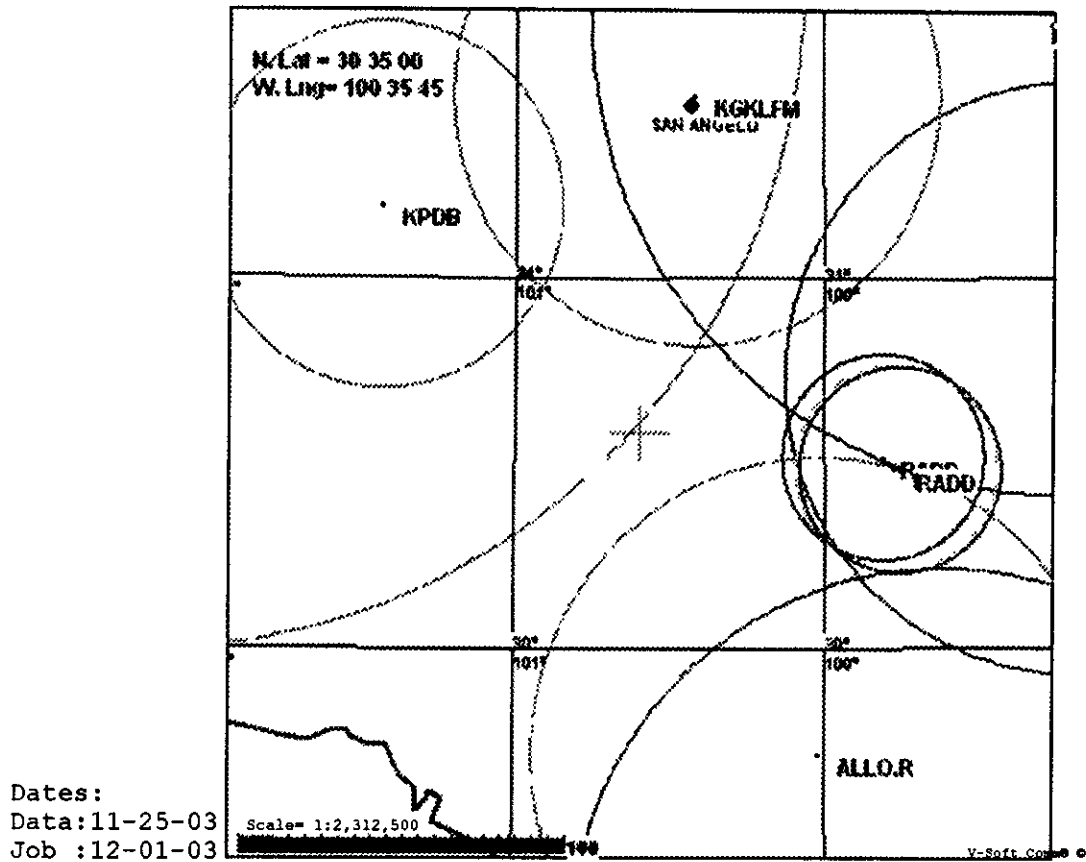
-  US Highway
-  Major Connector
-  State Route
-  Small Town
-  Locale
-  Water

**Attachment G**

(Channel Study for Channel 250A at Sonora, Texas)



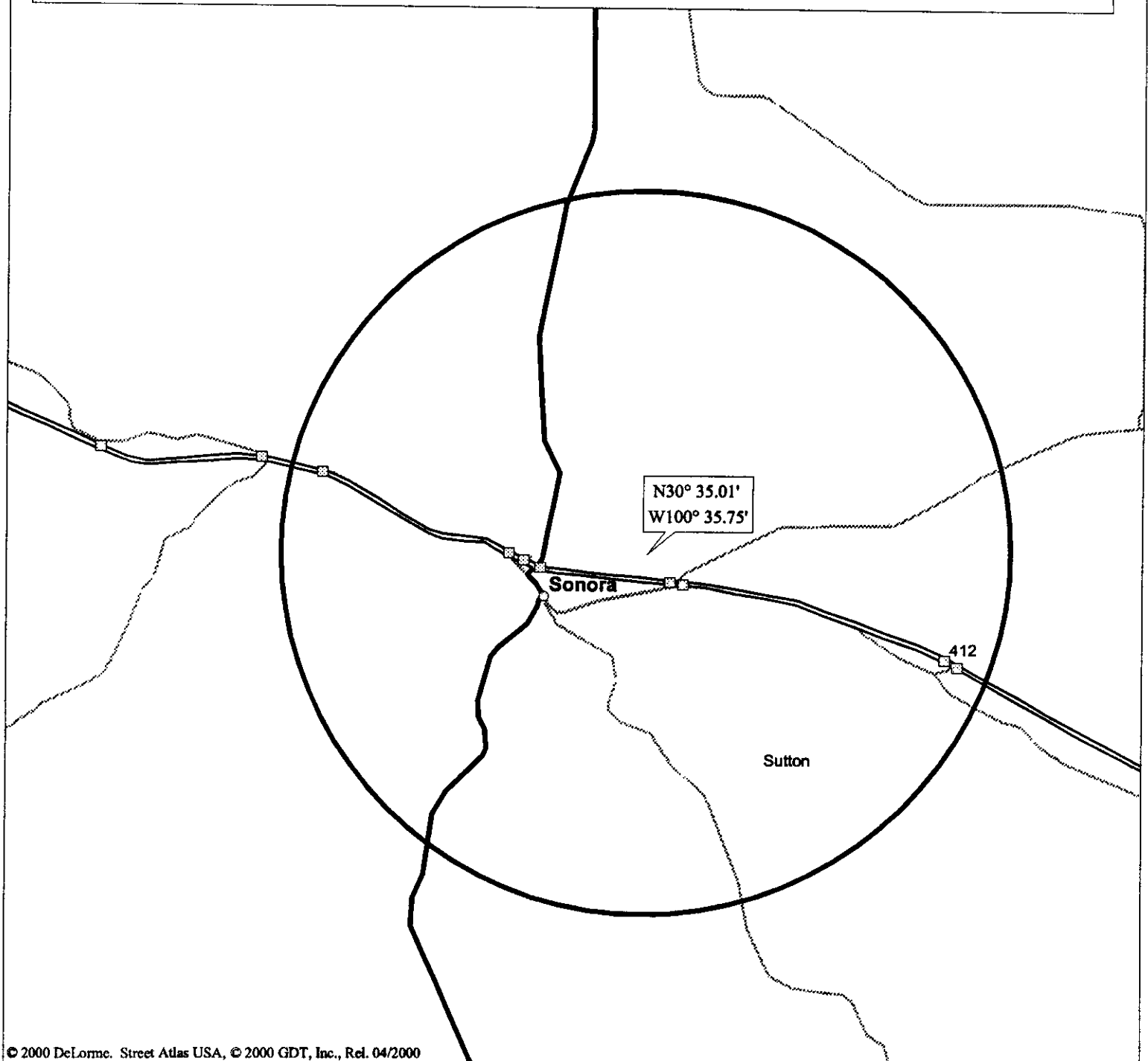
FM PROSP<sup>(TM)</sup> LOCATE STUDY CH 250 A 97.9 MHz



Dates:  
Data:11-25-03  
Job :12-01-03

Call	CH#	Type	Location		D-KM	Azi	FCC	Margin
KODM	250C1	LIC	Odessa	TX	201.99	312.2	200.0	1.99
ALLO.R	251C3	RSV	Camp Wood	TX	111.34	149.8	89.0	22.34
KGKLFM	248C1	LIC	San Angelo	TX	102.68	9.6	75.0	27.68
RADD	250C3	ADD	Bangs	TX	177.41	45.6	142.0	35.41
RADD	252A	ADD	Junction	TX	75.57	95.4	31.0	44.57
RADD	249C3	ADD	Mason	TX	135.03	82.8	89.0	46.03
RDEL	252A	DEL	Junction	TX	79.78	97.3	31.0	48.78
KPDB	252C2	LIC	Big Lake	TX	104.59	310.8	55.0	49.59
RADD	252A	ADD	Junction	TX	81.16	97.7	31.0	50.16
RADD	250A	ADD	Knippa	TX	181.64	148.8	115.0	66.64

# Sonora, TX CH 250A 70 dBu



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Mon Dec 01 18 39 2003

Scale 1 250,000 (at center)

5 Miles

5 KM

- Local Road
- US Highway
- Interstate/Limited Access
- Major Connector
- State Route
- Exit
- County Seat
- Water

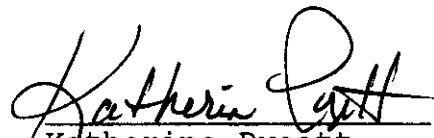
**CERTIFICATE OF SERVICE**

I, Katherine Pyeatt, hereby certify that on this 3<sup>rd</sup> day of December, 2003, I caused copies of the foregoing "Petition for Rule Making for Knippa, Texas" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Ms. Marlene Dortch  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
12<sup>th</sup> Street Lobby-TW-A325  
Washington, D.C. 20054

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Katherine Pyeatt